



WEB COPY



S.A.NO.154 OF 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.10.2024

CORAM:

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

S.A.NO.154 OF 2020
AND CMP NO.3342 OF 2020

1.Senthamathi
2.Anbu
3.Balamurugan ... Appellants /
Respondents 4 to 6 /
Defendants 4 to 6

Versus

1.Anbazhagan ... 1st Respondent /
Appellant / Plaintiff
2.Kalian
3.Periammal
4.Chinnapillai ... Respondents 2 to 4 /
Respondents 1 to 3 /
Defendants 1 to 3
5.Ilayaraja
6.Alamelu W/o. Raja
7.Minor Sowmya
D/o. Raja
8.Minor Chandru ... Respondents 7 to 10 /
S/o. Raja Respondents 7 to 10 /
(Minors rep. by their Father and Defendants 7 to 10
Guardian Raja)



S.A.NO.154 OF 2020

PRAYER: Second Appeal filed under Section 100 of Civil Procedure Code, 1908 against the Judgment and Decree dated 08.07.2019 in A.S.No.78 of 2015 on the file of the Sub Court, Kallakurichi reversing the Judgment and Decree dated 17.03.2015 in O.S.No.373 of 2009 before the Principal District Munsif's Court, Kallakurichi.

For Appellants : Ms.Nilaphar for M/s.R.Meenal
For Respondents 1, 4 & 5: Served – No appearance
For Respondents 2, 6 & 7: Unclaimed
For Respondent 3 : Not ready in notice

J U D G M E N T

When the matter came up before this Court on September 20, 2024, Ms.R.Meenal, learned counsel for the appellants reported 'no instructions'. To that effect, she has made an endorsement in the case file and a scanned reproduction of the same reads thus:

2.Today, Ms.Nilaphar, learned counsel representing Ms.R.Meenal, learned counsel on record for the appellants submitted that she



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has intimated the date of hearing to the appellants. To that effect, she has filed a Memo dated October 14, 2024 with the acknowledgment cards which shows that notices were served on the appellants. She has also made an endorsement to that effect in the case file and a scanned reproduction of the endorsement dated October 14, 2024 is as follows:

Reporting no instructions from
the appellants. Memo may be
recorded

(Signature) 51
For m/s. R. Maund
Counsel for the appells
14/10/2024

3. In view of the endorsement made by the learned counsel for the appellants on September 20, 2024 and October 14, 2024, this Second Appeal is dismissed for default. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

14.10.2024

Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No
Speaking Order / Non-Speaking Order
TK

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R.SAKTHIVEL, J.

TK

To

1.The Sub Judge
Sub Court
Kallakurichi.

2.The Principal District Munsif
Kallakurichi.

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